

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN BAKER,

Petitioner,

vs.

LANCASTER COUNTY DISTRICT COURT
ADULT PROBATION,

Respondent.

8:23CV410

MEMORANDUM AND ORDER

Petitioner filed a Petition for Writ of Habeas Corpus, [Filing No. 1](#), on September 18, 2023, but failed to include the \$5.00 filing fee. On September 18, 2023, the Court entered an order directing Petitioner to either submit the \$5.00 fee to the Clerk's office or submit a request to proceed in forma pauperis. [Filing No. 3](#). The Court's order was returned as undeliverable, and, on October 2, 2023, the Court entered an order directing Petitioner to update his address with the Court. [Filing No. 6](#). Petitioner did so on October 12, 2023. [Filing No. 7](#). As Petitioner has not yet received notice of the Court's September 18, 2023 order, the Court will extend the time for Petitioner to either pay the \$5.00 fee or submit a request to proceed in forma pauperis. If Petitioner chooses to do the latter, the enclosed pauper's forms should be completed and returned to this Court. Failure to take either action within 30 days will result in the Court dismissing this case without further notice to Petitioner.

IT IS THEREFORE ORDERED that:

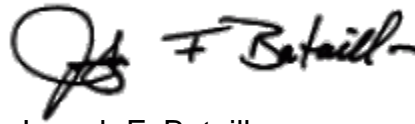
1. Petitioner is directed to submit the \$5.00 fee to the Clerk's office or submit a request to proceed in forma pauperis within 30 days. Failure to take either action will result in dismissal of this matter without further notice.

2. The Clerk of the Court is directed to send to Petitioner the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit") and a copy of the Court's September 18, 2023 Memorandum and Order, [Filing No. 3](#).

3. The Clerk of the Court is directed to set a pro se case management deadline in this matter with the following text: **November 16, 2023**: Check for MIFP or payment.

Dated this 17th day of October, 2023.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge